

## **815 KAR 35:100. Electrical continuing education procedure.**

RELATES TO: KRS Chapter 13B, 227A.100(7), (9)

STATUTORY AUTHORITY: KRS 227A.040(8), 227A.100(7)

NECESSITY, FUNCTION AND CONFORMITY: KRS 227A.040(8) authorizes the Department of Housing, Buildings and Construction to promulgate administrative regulations to establish procedures to govern the licensure of electricians and electrical contractors. KRS 227A.100(7) requires the department to promulgate an administrative regulation to establish requirements relating to continuing education, including program content and qualifications of providers. This administrative regulation establishes the continuing education procedures for master electricians, electricians, and electrical contractors.

Section 1. Proof of Continuing Education Requirements. (1) Prior to license renewal, each licensee shall present proof on Form BCE-EL-1, Electrical License Renewal Proof of Continuing Education, or its electronic equivalent, of completion of at least six (6) hours of continuing education for each license held during the immediately preceding twelve (12) months.

(2) The proof shall be signed by the licensee and certified by the provider of the continuing education course.

Section 2. Continuing Education Course Requirements. (1) Continuing education for master electrician and electrician licensees shall relate to the electrical code incorporated by reference into 815 KAR 7:120, Kentucky Building Code; 815 KAR 7:125, Kentucky Residential Code; and 815 KAR 10:060, Standards of Safety; or to safety practices and procedures.

(2) Continuing education for electrical contractors shall relate to business and employment law, business practices, and safety practices and procedures.

(3) A maximum of two (2) of the six (6) hours of continuing education required for electricians, master electricians, and electrical contractors may be safety practices and procedures.

Section 3. Continuing Education Providers. (1) Continuing education shall be provided by:

(a) One (1) of the organizations listed in KRS 227A.100(7); or

(b) An individual or organization recommended by the Electrical Advisory Committee and approved by the Department of Housing, Buildings and Construction pursuant to subsection (7) of this section.

(2) Each continuing education course provider shall register with the department. Registration shall be valid for two (2) years from the date of issuance.

(3) To register, an applicant shall complete and submit Form BCE-EL-8, Electrical License Continuing Education Provider Registration.

(4) The department shall maintain a list of approved continuing education providers.

(5) A course provider shall report to the department any change in registration information within thirty (30) days of the change taking effect.

(6) In addition to the provider registration requirements, an applicant for certification as a continuing education provider shall submit the following information to the Department of Housing, Buildings and Construction:

- (a) Syllabus of courses to be offered;
- (b) Times and dates that courses will be offered;
- (c) Location where courses will be offered;
- (d) Availability of courses to the general public;
- (e) Fees to be charged for the courses;
- (f) Identity and qualifications of teachers; and

- (g) Attendance verification procedures.
- (7) The Department of Housing, Buildings and Construction shall certify the applicant if:
  - (a) The applicant can reliably provide continuing education;
  - (b) The applicant has verified that an accurate certification of attendance at all courses offered shall be provided to the department:
    - 1. If provided by e-mail or fax, certification shall be received by the department within five (5) business days of completion of the class; or
    - 2. If submitted by first class mail, certification shall be postmarked within five (5) business days of completion of the class; and
  - (c) All courses offered by the applicant shall be taught by a person with sufficient technical knowledge of the subject matter.
- (8) Certification shall be denied, suspended, or revoked if the Department of Housing, Buildings and Construction determines, after an opportunity to be heard pursuant to KRS Chapter 13B, that the individual or organization no longer meets the requirements of this section.
- (9) A continuing education provider shall notify the Department of Housing, Buildings and Construction of all courses to be offered at least thirty (30) days prior to the courses' scheduled dates.
  - (a) The notice shall include the date, time, location, and topic of the course and the fee to be charged, if any.
  - (b) The Department of Housing, Buildings and Construction shall maintain a list of all courses to be offered and shall make the list available to the public.
- (10) For classes open to the public, continuing education providers shall not establish a minimum number of attendees required to hold a class.
- (11)(a) Except as provided in paragraph (b) of this subsection, a provider shall notify the Department of Housing, Buildings and Construction, as well as those who have registered to attend, a minimum of one (1) week prior to the cancellation of any class.
  - (b) A class may be cancelled within one (1) week of the scheduled class date if necessary due to a natural disaster or inclement weather. Reasonable steps shall be taken to inform the registered attendees and the department of the cancellation and reason for the cancellation.
- (12) Upon written request by a licensee, the Department of Housing, Buildings and Construction shall recognize continuing education credit, courses attended in another state if the material covered complies with Section 2 of this administrative regulation.

Section 4. Continuing Education Provider Revocation. The department shall revoke continuing educator provider approval if the department determines that a provider:

- (1) Obtains, or attempts to obtain, registration or course approval through fraud, false statements, or misrepresentation;
- (2) Does not provide complete and accurate information in either the initial registration or in notification of changes to information;
- (3) Does not offer one or more classes annually;
- (4) Advertises a continuing education course as being approved by the department prior to receiving approval;
- (5) Fails to maintain continuing education provider qualifications; or
- (6) Fails to comply with the requirements of Section 3 of this administrative regulation.

Section 5. Certified Electrical Inspectors. A certified electrical inspector holding an inactive master electrician or electrician license may apply six (6) hours of the continuing education required by 815 KAR 35:015, Section 8(1), to the required six (6) hours for a master electrician or electrician's license if the hours are not used to satisfy the continuing education requirement

for electrical contractors.

Section 6. Inactive License. As a condition of reactivation of an inactive license, a licensee shall present proof of completion of at least six (6) hours of continuing education from the prior twelve (12) months. Prior to activating an inactive license, the license holder shall provide proof that the license holder has completed six (6) hours of continuing education for each year the license has been inactive.

Section 7. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Electrical License Renewal Proof of Continuing Education", Form BCE-EL-1, December 2010; and

(b) "Electrical License Continuing Education Provider Registration", Form BCE-EL-8, December 2010.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Housing, Buildings and Construction, 101 Sea Hero Road, Suite 100, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (31 Ky.R. 1757; Am. 1979; eff. 7-1-2005; 35 Ky.R. 198; Am. 570; eff. 10-3-2008; 36 Ky.R. 224; 614; 802; eff. 9-24-2009; 37 Ky.R. 1356; Am. 1658; eff. 2-4-2011; 3002; 38 Ky.R. 244; eff. 9-2-2011.)